

Mr. HELLER. Mr. Speaker, on rollcall No. 973, had I been present, I would have voted "aye."

Mr. CASSIDY. Mr. Speaker, on rollcall No. 973, I was unavoidably detained. Had I been present, I would have voted "aye."

LOCAL COMMUNITY RADIO ACT OF 2009

Mr. BOUCHER. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1147) to implement the recommendations of the Federal Communications Commission report to the Congress regarding low-power FM service, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1147

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Local Community Radio Act of 2009".

SEC. 2. AMENDMENT.

Section 632 of the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 2001 (Public Law 106-553; 114 Stat. 2762A-111), is amended to read as follows:

"SEC. 632. (a) The Federal Communications Commission shall modify the rules authorizing the operation of low-power FM radio stations, as proposed in MM Docket No. 99-25, to—

"(1) prescribe protection for co-channels and first- and second-adjacent channels; and

"(2) prohibit any applicant from obtaining a low-power FM license if the applicant has engaged in any manner in the unlicensed operation of any station in violation of section 301 of the Communications Act of 1934 (47 U.S.C. 301).

"(b) Any license that was issued by the Federal Communications Commission to a low-power FM station prior to April 2, 2001, and that does not comply with the modifications adopted by the Commission in MM Docket No. 99-25 on April 2, 2001, shall remain invalid."

SEC. 3. MINIMUM DISTANCE SEPARATION REQUIREMENTS.

The Federal Communications Commission shall modify its rules to eliminate third-adjacent minimum distance separation requirements between—

(1) low-power FM stations; and

(2) full-service FM stations, FM translator stations, and FM booster stations.

SEC. 4. PROTECTION OF RADIO READING SERVICES.

The Federal Communications Commission shall comply with its existing minimum distance separation requirements for full-service FM stations, FM translator stations, and FM booster stations that broadcast radio reading services via an analog subcarrier frequency to avoid potential interference by low-power FM stations.

SEC. 5. ENSURING AVAILABILITY OF SPECTRUM FOR LOW-POWER FM STATIONS.

The Federal Communications Commission, when licensing new FM translator stations, FM booster stations, and low-power FM stations, shall ensure—

(1) that licenses are available to FM translator stations, FM booster stations, and low-power FM stations; and

(2) that such decisions are made based on the needs of the local community.

SEC. 6. PROTECTION OF TRANSLATOR INPUT SIGNALS.

The Federal Communications Commission shall modify its rules to address the poten-

tial for predicted interference to FM translator input signals on third-adjacent channels set forth in section 2.7 of the technical report entitled "Experimental Measurements of the Third-Adjacent Channel Impacts of Low-Power FM Stations, Volume One—Final Report (May 2003)".

SEC. 7. ENSURING EFFECTIVE REMEDIATION OF INTERFERENCE.

The Federal Communications Commission shall modify the interference complaint process described in section 73.810 of its rules (47 CFR 73.810) as follows:

(1) With respect to those low-power FM stations licensed at locations that do not satisfy third-adjacent channel spacing requirements under section 73.807 of the Commission's rules (47 CFR 73.807), the Federal Communications Commission shall provide the same interference protections that FM translator stations and FM booster stations are required to provide as set forth in section 74.1203 of its rules (47 CFR 74.1203) as in effect on the date of enactment of this Act.

(2) For a period of 1 year after a new low-power FM station is constructed on a third-adjacent channel, such low-power FM station shall be required to broadcast periodic announcements that alert listeners that interference that they may be experiencing could be the result of the operation of such low-power FM station on a third-adjacent channel and shall instruct affected listeners to contact such low-power FM station to report any interference. The Federal Communications Commission shall require all newly constructed low-power FM stations on third-adjacent channels to—

(A) notify the Federal Communications Commission and all affected stations on third-adjacent channels of an interference complaint by electronic communication within 48 hours after the receipt of such complaint; and

(B) cooperate in addressing any such interference.

(3) Low-power FM stations on third-adjacent channels shall be required to address complaints of interference within the protected contour of an affected station and shall be encouraged to address all other interference complaints, including complaints to the Federal Communications Commission based on interference to a full-service FM station, an FM translator station, or an FM booster station by the transmitter site of a low-power FM station on a third-adjacent channel at any distance from the full-service FM station, FM translator station, or FM booster station. The Federal Communications Commission shall provide notice to the licensee of a low-power FM station of the existence of such interference within 7 calendar days of the receipt of a complaint from a listener or another station.

(4) To the extent possible, the Federal Communications Commission shall grant low-power FM stations on third-adjacent channels the technical flexibility to remediate interference through the collocation of the transmission facilities of the low-power FM station and any stations on third-adjacent channels.

(5) The Federal Communications Commission shall—

(A) permit the submission of informal evidence of interference, including any engineering analysis that an affected station may commission;

(B) accept complaints based on interference to a full-service FM station, FM translator station, or FM booster station by the transmitter site of a low-power FM station on a third-adjacent channel at any distance from the full-service FM station, FM translator station, or FM booster station; and

(C) accept complaints of interference to mobile reception.

SEC. 8. FCC STUDY ON IMPACT OF LOW-POWER FM STATIONS ON FULL-SERVICE COMMERCIAL FM STATIONS.

(a) IN GENERAL.—The Federal Communications Commission shall conduct an economic study on the impact that low-power FM stations will have on full-service commercial FM stations.

(b) REPORT.—Not later than 1 year after the date of enactment of this Act, the Federal Communications Commission shall submit a report to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Energy and Commerce of the House of Representatives on the study conducted under subsection (a).

(c) LICENSING NOT AFFECTED BY STUDY.—Nothing in this section shall affect the licensing of new low-power FM stations as otherwise permitted under this Act.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Virginia (Mr. BOUCHER) and the gentleman from Nebraska (Mr. TERRY) each will control 20 minutes.

The Chair recognizes the gentleman from Virginia.

GENERAL LEAVE

Mr. BOUCHER. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks and insert extraneous material into the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. BOUCHER. Mr. Speaker, I yield such time as he may consume to the chairman of the Energy and Commerce Committee, the gentleman from California (Mr. WAXMAN).

Mr. WAXMAN. Mr. Speaker, I rise in strong support of H.R. 1147, the Local Community Radio Act of 2009, and I want to thank Chairman BOUCHER for his leadership in guiding this bipartisan bill through the committee.

I also want to recognize and thank Mr. DOYLE and Mr. TERRY, the original sponsors of the bill, for their efforts to expand diversity, localism, and competition in our media landscape. Mr. DOYLE has been a tireless advocate of local community radio, and I greatly appreciate his leadership, flexibility, and persistence.

I'm pleased that the House is taking up this important measure, as I have long supported expanding low-power FM radio services. The bill removes a statutory barrier to the creation of potentially thousands of new low-power stations across the country. The creation of these stations will further the overriding national policy goals of promoting broadcast localism and diversity.

I'm pleased that the bill includes strong protections against unreasonable interference for incumbent radio broadcasters, as well as a clear dispute resolution process should such interference occur. I want to thank National Public Radio for working with the Energy and Commerce Committee in a constructive manner. I also want

to commend the Prometheus Radio Project, the United Church of Christ, and other supporters of low-power FM services for their valuable input.

I urge my colleagues to support H.R. 1147.

Mr. TERRY. Mr. Speaker, I yield myself such time as I may consume.

As coauthor with Mr. DOYLE, I too rise in support of H.R. 1147, and it was my pleasure to come to this floor to discuss legislation that is the product of great bipartisanship. Congressman DOYLE and I teamed up in working on this low-power FM legislation, and the product that we have today here on the floor is a good one. We do believe this bill has the potential to revolutionize what Americans hear on their radios and that it will provide an exciting new platform for citizens to communicate with one another within their own local communities and neighborhoods.

Low-power FM radio offers people at the local community level the opportunity to broadcast when otherwise they may not afford to do so. This is extremely important for noncommercial groups like schools, churches, neighborhood organizations. The ability of those groups to broadcast their message contributes greatly to the overall betterment of our community and society as a whole.

Many local and statewide organizations are interested in obtaining low-power FM licenses, including the following two in my district in Omaha, Nebraska.

Wes Hall, who is the CEO of Suntaman Communications, says this legislation is a dream come true. "You cannot build a community without a cohesive voice, and this will give a voice to the voiceless." He went on to say: "Low-power FM is the beacon that lights up the future for us, and bravo to Lee for championing"—well, I don't have to read that part. But Wes Hall has been involved in the LPFM issue for years and believes this legislation is the light that allows communities to come together.

"This is very exciting news," said 100 Black Men of Omaha, Nebraska, President Tim Clark. "Communities across the country will now have a real opportunity to increase the ability to effectively communicate issues, concerns, awareness campaigns, and to provide sensitive programming. North and South Omaha will benefit positively from this challenge to develop unified efforts for the betterment of their constituents."

I appreciate both Wes' and Tim's work on this issue as well as other groups devoted to fulfilling the interests and needs of our community.

I do believe this legislation is about empowering individuals who are making a difference in Nebraska. As a Member who, back in 2000, voted in favor of legislation to require a minimum of four intervals between radio stations, I'm proud today to be able to stand by my friend from Pennsylvania as well as all LPFM advocates in a bi-

partisan way in support of this legislation.

□ 1300

The authorization of the MITRE study really was important, and now we definitively know that there will be no interference caused by reducing the required separation between new LPFM broadcasts and existing full-power broadcasts.

I encourage all of my colleagues to support this important community-based legislation, and I am looking forward to it being enacted into law.

I reserve the balance of my time.

Mr. BOUCHER. I yield myself such time as I may consume.

Mr. Speaker, the bill before the House is the Local Community Radio Act of 2009. It was introduced by Representatives DOYLE and TERRY, and it will provide additional opportunities to create new low-power FM radio stations by allowing their operation on third adjacent channels to the full-power radio stations.

Low-power stations, which are community-based nonprofits which operate at 100 watts or less of power and which have a broadcast reach, typically, of only a few miles, play a unique role in our media. They are far more likely than their full-power counterparts to be owned by women or minorities, and they are an important forum for local clergy, for educational institutions, and for a wide array of community leaders to have a say on important local issues.

I want to commend the cooperative work of our colleagues Mr. DOYLE and Mr. TERRY and of radio broadcasters who are significant stakeholders in this matter, as we have resolved the concerns of local public broadcasting stations that have a special need to protect the numerous translator stations that they operate from any local channel interference. Amendments that we adopted in the subcommittee consideration of the bill achieve that protection.

Among other provisions, the bill directs the Federal Communications Commission to allow the operation of low-power FM stations on third channel adjacencies to the full-power FM stations and FM translator and booster stations. It retains the FCC's existing minimum distance separation requirements for FM stations that provide radio reading services for the visually impaired.

At the same time, the bill provides for remediation of interference complaints between low-power FM stations and full-power stations as well as FM translator and booster stations. The measure directs the FCC to conduct an economic study of the effect of low-power FM stations on full service commercial stations and to submit those findings to the Congress within 1 year.

I want to thank Mr. DOYLE for his tireless work on this measure. He has introduced this bill several times, and this is the first Congress in which it

has been brought to the House floor. I tremendously appreciate his work and the work of Mr. TERRY, his partner in this exercise. With the various stakeholders and with members of our subcommittee, collectively, their work has resulted in our being able to present this bill to the House today.

I also want to commend the bipartisan approach that we have taken in our subcommittee and full committee in processing this measure. I commend Chairman WAXMAN and Ranking Members BARTON and STEARNS for the highly cooperative manner in which we have altogether advanced this measure.

Mr. Speaker, I reserve the balance of my time.

Mr. TERRY. Mr. Speaker, I yield 2 minutes to the gentlewoman from Tennessee (Mrs. BLACKBURN).

Mrs. BLACKBURN. I do thank the gentleman from Nebraska, and I am thrilled to stand today in support of the Local Community Radio Act.

Mr. Speaker, this is an issue that I've been engaged in since my days in the Tennessee State Senate. In an age of consolidating radio stations and a competitive marketplace for airtime, this legislation will allow smaller groups to be heard. Indeed, Chairman BOUCHER has mentioned this, as has Mr. TERRY; and it is an important reason for having this low-power radio act available for our communities.

Whether we are talking about the aspiring blues performer in Memphis or whether we are talking about an up-and-coming country star in Nashville or whether we are talking about one of our colleges or universities which is getting on the air and showcasing some of its local talent or some of its personalities—or maybe it is some of our religious organizations or churches—it is a way for them to spread their messages. This legislation does give a crucial voice to these communities.

I was pleased that Mr. BOUCHER mentioned small businesses that are owned by women and the number of women that we have seen move into the communications field because they had the ability to get to low-power stations and to develop formats in programming that will help them to launch a dream and actually innovate for our airwaves.

We have heard from a wide range of groups. They do stand in support of this. It is a pleasure to stand and support the bill. I urge this Chamber to move forward on passing this legislation.

Mr. BOUCHER. Mr. Speaker, I yield such time as he may consume to the sponsor of the bill, the gentleman from Pennsylvania (Mr. DOYLE).

MR. DOYLE. I want to thank Chairman BOUCHER and Chairman WAXMAN for strongly supporting my bill, which will give local communities across this country access to their airwaves. I am grateful for the support that this bill has from both sides of the aisle, including from the bill's lead cosponsor, my good friend LEE TERRY from Omaha.

When the Federal Communications Commission created the low-power FM

radio service, they sought to create opportunities for new voices on the airwaves and to allow local schools, churches and other community-based organizations to provide programming that would be responsive to local community needs and interests.

Congress, however, passed the Radio Broadcasting Preservation Act in 2000, and many of those organizations were prevented from communicating to their members, supporters, and residents on the FM radio dial. That bill called for a field study performed by the MITRE Corporation and for the FCC to recommend to Congress what we should do.

In 2004, on a unanimous, bipartisan basis and for a second time in November 2007 and for a third time, once again, in September of 2009, all five FCC commissioners agreed that Congress should lift the restrictions on LPFM stations and should allow the FCC to license new stations in more communities. The bill we debate today, the Local Community Radio Act of 2009, does just that.

Where they are allowed to exist under current law, LPFM stations have proved to be a vital source of information during local or national emergencies. These stations promote the arts and education from religious organizations, community groups, organizations promoting literacy, and from many other civically oriented organizations.

Stations like KOCZ in Opelousas, Louisiana, which is operated by the Southern Development Foundation, is a group active in the African American community. This station broadcasts public affairs shows, religious programming, hip-hop, and zydeco music 24 hours a day. Zydeco music is central to the cultural heritage of the Acadiana region, but it has recently disappeared from the airwaves that have been dominated by commercial radio.

WQRZ, in Bay St. Louis, Mississippi, remained on the air during Hurricane Katrina and served as the emergency operations center for Hancock County during the worst storm there in a century.

Congress has to act on the commission's recommendations; otherwise, similar stations will be prevented from operating in communities across America—in communities like mine, which are too large to have any slots for new LPFM stations at fourth adjacent, but could fit several at third adjacent.

Stations like Lightning Community Radio and WMKP's "The Roar" at Penn State's Greater Allegheny campus wanted to serve the McKeesport area in my district. The current law relegates them to Webcasting, but they want to simulcast on the air as well. We must pass this bill today to make sure that that can happen.

My bill has undergone some changes from the full committee, and the National Association of Broadcasters, as well as National Public Radio, have removed their objections and do not op-

pose the bill. This bill has broad support, and I will be adding into the RECORD these letters from almost a dozen leaders from Catholic and Protestant faiths, like the United Church of Christ and the National Association of Evangelicals; a letter from two dozen national and local public interest, civil rights and local groups; another letter from the Leadership Conference on Civil Rights; and, finally, a letter from the National Federation of Community Broadcasters and the Prometheus Radio Project, all of whom strongly support the Local Community Radio Act.

Mr. Speaker, the time has come for Congress to rewrite the law. The time has come to make the airwaves available to the people they serve. The time has come to bring low-power to the people. I ask my colleagues to support the Local Community Radio Act.

My legislation makes a number of changes from the version reported out of the House Energy and Commerce Committee. Some of these changes clarified intent, others came at the request of large commercial broadcasters. Indeed, this version of the bill did not draw the opposition of the largest group of commercial broadcasters because they contributed several ideas that are included in this legislation. While I believe that the previous versions of the bill already provided strong protections for incumbent broadcasters, I accepted this compromise language because it will finally lay their objections to rest.

In exchange for dropping their opposition to my bill, incumbent broadcasters received a significant new form of protection for their signals. This compromise requires LPFM stations to fix any instance of interference to full power stations on the third adjacent channel, even outside an incumbent station's legally protected coverage area, also known as their contour.

I accepted this extremely unusual obligation to remediate interference outside of the broadcaster's legal coverage area, working with experts at the FCC, I know that harmful interference is extremely unlikely to occur in the real world.

I would not have accepted them if I believed they harmed the Low-Power FM radio service, and I will be sincerely disappointed if the Commission does so with mistaken interpretations.

Among the several changes, I'd like to explain two of them, I accepted a request that the FCC complete a study looking into the low-power FM radio service's financial impact on full-power commercial broadcasting. I know that the FCC has already looked into this issue and I understand that the Senate sponsor's intent is not to let this study delay implementation of the bill and licensing LPFM stations while this study is underway.

Second, in Section 5, I added the word "new" to make clear that that section applies to new licensing. While this refers to licensing new stations, I do not believe that this language should discourage the FCC from re-addressing the relationship between LPFMs and translators should it conclude that it is in the public interest.

I have to thank the many people who have worked on this issue for over a decade. First, and foremost, this bill would not have hap-

pened without the work of Pete Tridish and Hannah Sassaman and Cory Fischer Hoffman of the Prometheus Radio Project, Cheryl Leanza now at the United Church of Christ, Office of Communications, Michael Bracy of the Future of Music Coalition, and Carol Pier-son of the National Federation of Community Broadcasters.

Additionally, I must also thank the dozens of dedicated people who have long cared about their community's ability to access their airwaves. That so many different groups support the bill is a testament to their dedication. Their hard work will hopefully reap true rewards. Thanks are due to Katherine Grincewich of the US Conference of Catholic Bishops, Amanda Huron, Diane Foglizzo, Sakura Saunders, Brandy Doyle, Jeanette Forman, Autumn Chacon, John Wenz, Sara Cederburg, Halimah Marcus, Ian Smith, Anthony Mazza, and Scott Pinkelman of the Prometheus Radio Project, artists Kendall Nordin and Nicole Atkins, and Amy Ray and Emily Saliers of The Indigo Girls, Gary Galloway, Director of the Newton County Mississippi Emergency Management Agency, Tim Stone of Portsmouth Community Radio, Parul Desai, Kamilla Kovacs and Andy Schwartzman of the Media Access Project, Beth McConnell, Chance Williams and Hannah Miller of the Media and Democracy Coalition, Candace Clement, Ben Scott and Joe Torres at Free Press, Corrine Yu at the Leadership Conference on Civil Rights and all others who have worked so hard to get the Local Community Radio Act so far.

LOW-POWER FM RADIO: SUPPORTING MEDIA DIVERSITY 2009 LOCAL COMMUNITY RADIO ACT (H.R. 1147)

DEAR COLLEAGUE: We urge you to join us in support of media diversity by supporting H.R. 1147, the Local Community Radio Act of 2009. This bipartisan legislation will increase the diversity of voices on our nation's radio airwaves by creating hundreds of low-power, community radio stations in cities, towns and suburbs across the United States.

According to a report released by the non-partisan media advocacy group Free Press, people of color own just 7.7 percent of all full-power AM and FM stations, yet they make up 33 percent of the U.S. population. Currently, African Americans own 3.4 percent; Latinos, 2.9 percent; Asian Americans, 0.9 percent; and Native Americans, 0.3 percent of all full-power stations. In addition, despite making up 51 percent of the U.S. population, women only own 6 percent of all radio stations. The study found the more concentrated a local market, the less likely there will be a minority or female owner. In 2008, the Minority Media & Telecommunications Council (MMTC) Road Map for Telecommunications Policy found that minority employment at non-minority owned, English language radio news operations is about 0.4% or statistically zero, which is about where it stood in 1950. As a uniquely local outlet, low-power FM (LPFM) stations directly serve the needs of their communities by making stations possible for churches, schools, civil rights organizations and other community groups. LPFMs provide a forum to discuss local issues and provide essential emergency services during times of crisis. The following LPFMs have shown their potential to bring vibrant, diverse programming to the airwaves:

On WSBL-LP (98.1), in South Bend, Indiana the local League of United Latin American Citizens (LULAC) chapter broadcasts Spanish-language programming and music, public

safety announcements, and English vocabulary lessons.

In Sacramento, KDEE-LP (97.7), licensed to the California Black Chamber of Commerce, broadcasts extensive local news and community affairs, providing an opportunity for local community leaders to get on the air.

Marianne Knorzer, station manager at KRBS-LP in Oroville, California coordinates 50 volunteers to offer local programming to its rural community, including everything from Hmong language programming to Reggae.

KAPU-LP (104.7), in Watsonville, CA, prides itself on being the only radio station on the U.S. mainland that broadcasts Hawaiian music 24 hours a day.

Additional examples include: Radio Sur Sangam, in Hayward, CA south of Oakland, which broadcasts using shortwave radio signals to South Asians. The community hoped for a LPFM but Congress limited the service from densely populated areas such as Hayward. The Society for the Preservation of Korean Culture and Language wanted a LPFM in the Chicago area.

LPFM offers an important alternative to the narrow terms of public debate that are all too often promoted by large broadcasters. Given these trends, LPFM is an important means of transmitting the views of historically underrepresented voices. A recent report by the Leadership Conference on Civil Rights titled, *Low Power Radio: Lost Opportunity or Success on the Dial*, concluded that LPFM "represents the best opportunity in years for diversity in radio broadcasting and ownership."

In 2003, a congressionally authorized study by the FCC determined that LPFM service could be expanded without causing significant interference to full-power FM radio stations. As a result, the FCC urged Congress to repeal the restrictions it placed on licensing LPFM stations and recently voted unanimously in support of this position.

Supporters of H.R. 1147 include: the National Association of Evangelicals; United Church of Christ; U.S. Conference of Catholic Bishops; NAACP; National Hispanic Media Coalition; National Bar Association; AFL-CIO; and emergency management agency directors.

We encourage you to support the Local Community Radio Act (H.R. 1147) when it comes to the floor for a vote. By doing so, you will support localism, choice, and diversity on the radio. If you have any questions, please contact Kenneth DeGraff with Rep. Mike Doyle at 5-2135 or Brad Schweer with Rep. Lee Terry at 5-4155.

NYDIA M. VELÁZQUEZ.

DECEMBER 7, 2009.

DEAR REPRESENTATIVE: The undersigned organizations urge you to vote in support of H.R. 1147, the Local Community Radio Act of 2009. H.R. 1147, introduced by Representatives Mike Doyle and Lee Terry will help increase the number of Low Power FM radio stations in our country. Passage of this bill will result in the creation of hundreds—if not thousands—of new local radio stations in towns and cities across the country. We are particularly grateful for the strong bipartisan support this measure has received in the House Energy & Commerce Committee and we look forward to its ultimate passage into law. We ask you to support the compromise bill that will be on the floor on Tuesday, December 15.

Low Power FM (LPFM) stations are non-commercial stations that operate at 100 watts or less—with a broadcast radius of approximately three to five miles. As uniquely local outlets, LPFM stations directly serve their communities.

LPFM licenses are granted to high schools, churches, labor unions, nonprofits and civic organizations—local institutions that understand the needs of their communities. LPFM stations give political, religious and civil rights leaders a forum to discuss local issues. LPFM stations also provide essential emergency services during times of crisis.

The Federal Communications Commission created LPFM stations in 2000 to serve the news and informational needs of local communities. But Congress voted to limit the number of LPFM stations after claims were made that these outlets might interfere with the signals of full-power FM stations.

In 2003, the FCC commissioned a \$2 million taxpayer-funded study that found LPFM stations cause no significant interference with full-power stations. The FCC, in a unanimous bi-partisan vote, called on Congress to lift the restrictions it placed on licensing LPFM stations. But the legislation has not yet become law.

For this reason, we are calling on Congress to act quickly to authorize the FCC to license more LPFM stations. We respectfully ask you to support H.R. 1147 when it is scheduled for a full floor vote.

Thank you,

American Association of People with Disabilities, (AAPD), Access Humboldt, American Federation of Musicians, Capitol Community TV—OR, CCTV—Vermont, Chicago Media Action, Consumers Union, Free Press, Future of Music Coalition, Industry Ears, Institute for Local Self-Reliance, Inter-collegiate Broadcast System, and Media Access Project.

Media Alliance, Media Bridges, National Hispanic Media Coalition, National Federation of Community Broadcasters, National Organization for Women, Native Public Media, New America Foundation, Prometheus Radio Project, Public Knowledge, Reclaim the Media, Rainbow PUSH, United Church of Christ, Office of Communication, Inc., and U.S. PIRG.

DECEMBER 14, 2009.

DEAR REPRESENTATIVES: We, as leaders representing many diverse religious traditions, urge you to vote in support of H.R. 1147, the Local Community Radio Act of 2009. H.R. 1147, introduced by Representatives Mike Doyle and Lee Terry will help increase the number of Low Power FM radio stations in our country. We are particularly grateful for the strong bipartisan support this measure has received in the House Energy & Commerce Committee and we look forward to its ultimate passage into law. The compromise version of H.R. 1147 coming to the House floor this week is the one that should be adopted by the House and ultimately passed into law.

Low power FM (LPFM) stations are uniquely local outlets that directly serve their communities. LPFM licenses are granted to churches, high schools, labor unions, non-profits, and civic organizations that understand and serve the needs of their local communities. LPFM stations give local leaders, including politicians, clergy, community elders and young people a uniquely local forum to discuss local issues. Moreover, LPFM stations have a track record of providing essential emergency services during times of crisis. Since its inception in 2000, approximately 800 LPFM stations have been authorized around the country. But the FCC requires Congressional action to fully implement the program.

People of faith are well-known for their strong participation in civic society—playing an important role in making our communities stronger and lifting up those who are

suffering or who need a little help to succeed. Churches and communities of faith have taken significant advantage of low power radio as part of this mission—approximately half of all low power radio stations are licensed to churches or other houses of worship. In addition to allowing more opportunities for people of faith operate a radio station, low power radio will also add new voices to the radio dial. It will allow for more equitable representation of people of color and women, and at the same time preserve opportunities for everyone—no matter their views—to be heard.

For this reason, we are calling on Congress to act quickly to authorize the FCC to license more LPFM stations. We respectfully ask you to support H.R. 1147 when it is scheduled for a full floor vote.

Sincerely,

Kristi S. Bangert, Executive Director for Communication Services, Evangelical Lutheran Church in America; Burton Buller, Director, Third Way Media; Galen Carey, Director of Government Affairs, National Association of Evangelicals; The Rev. J. Bennett Guess, Executive Director, Office of Communication, Inc., United Church of Christ; The Rev. Larry Hollan, General Secretary, United Methodist Communications; Most Reverend Gabino Zavala, Auxiliary Archbishop, Archdiocese of Los Angeles, Chairman, Communications Committee of the United States Conference of Catholic Bishops; Wesley M. Pattillo, Senior Program Director for Communication, National Council of Churches; The Rev. Jerry L. Van Marter, Presbyterian News Service, Chair, NCC Communications Commission; Linda Walter, Director, The AMS Agency, Seventh-day Adventist Church.

DECEMBER 14, 2009.

DEAR REPRESENTATIVES: The Prometheus Radio Project and the National Federation of Community Broadcasters write to endorse the version of the Local Community Radio Act, H.R. 1147, which will come to a floor vote in the House of Representatives this week. The Local Community Radio Act will allow for hundreds of new, low power non-commercial radio stations nationwide, operated by churches, schools, non-profit organizations, and public safety agencies.

Incumbent commercial broadcasters have agreed to drop their opposition to the bill in exchange for a significant new form of protection for their signals. This compromise fully protects full power stations from interference by new low power radio stations, even outside an incumbent station's legally protected coverage area. As representatives of low power radio broadcasters, we have accepted this extremely unusual obligation to remediate interference because we know that such interference is extremely unlikely to occur in the real world. A Congressionally-mandated independent technical study has shown that the low power radio stations authorized by this legislation would not cause harmful interference, and all five FCC Commissioners have reaffirmed the FCC's longstanding confidence in this legislation as safe for the existing FM service.

While the latest changes are superfluous, since earlier versions of the bill already provided appropriate protections for incumbent broadcasters, we support this compromise language because it will finally put to rest the objections of the National Association of Broadcasters. The bill also includes considerable changes made during the House subcommittee markup to address the concerns of National Public Radio. With the latest compromise, low power radio advocates have addressed every remotely plausible issue

raised by low power radio's former opponents.

We would like to thank the offices of Representatives Mike Doyle and Lee Terry, as well as Chairman Rick Boucher and Chairman Henry Waxman, for their tireless work in bringing both sides to a final version of the legislation that everyone can accept.

Communities across the country have been waiting for more than a decade for the opportunity to apply for their stations. The time for compromise and delay is over. We urge support for the bill in the House and full passage—without change—by the Senate.

Sincerely,

PETE TRIDISH,
*Executive Director,
Prometheus Radio
Project.*

CAROL PIERSON,
*President & CEO National Federation of
Community Broadcasters.*

LEADERSHIP CONFERENCE
ON CIVIL RIGHTS,
Washington, DC, December 14, 2009.

Re Support the Local Community Radio Act of 2009 (H.R. 1147)

DEAR REPRESENTATIVE: On behalf of the Leadership Conference on Civil Rights (LCCR), the nation's oldest, largest, and most diverse civil and human rights coalition with nearly 200 member organizations, we urge you to support H.R. 1147, the bipartisan Local Community Radio Act of 2009, when it comes to the floor to a vote. The version being considered by the House of Representatives should be adopted into law.

H.R. 1147, introduced by Representatives Mike Doyle (D-PA) and Lee Terry (R-NE), will help increase the number of Low Power FM (LPFM) stations in our country by authorizing the Federal Communications Commission (FCC) to license thousands of LPFM radio stations in cities, towns, and suburbs across the country. In an era of mass media consolidation, LCCR believes that it is important to preserve this avenue through which diverse viewpoints can be represented over the public airwaves.

LPFM refers to community-based, non-profit radio stations that operate at 100 watts or less and have a broadcast reach of only a few miles. Since 2000, the FCC has awarded more than 800 LPFM licenses to civil rights organizations, schools, and church groups. By authorizing even more LPFM licenses, H.R. 1147 will help ensure that all segments of society have the opportunity to participate fully in the broadcast communications environment in two important ways: by enhancing diverse viewpoints and by enhancing diverse ownership.

LCCR has long regarded expanding minority and female ownership in media as an important goal because of the powerful role the media plays in the democratic process, as well as in shaping perceptions about who we are as individuals and as a nation. By providing community leaders the opportunity to have a voice on the public airwaves where no such opportunity previously existed, LPFM radio will help promote greater diversity on the public airwaves.

While Latino Americans, African Americans, Asian Americans, and Native Americans make up one-third of the U.S. population, they own only 7.2 percent of all full-power radio and TV stations. Women make up 51 percent of the U.S. population, yet own less than 6 percent of full-power commercial radio and TV stations. We believe there is a direct connection between those who own these stations and the content they produce.

If you have any questions, please contact Corrine Yu, LCCR Senior Counsel, or Nancy Zirklin regarding this or any issue.

Sincerely,

WADE HENDERSON,
President & CEO.
NANCY ZIRKIN,
Executive Vice President.

Mr. TERRY. I appreciate your efforts, Mr. DOYLE.

Mr. Speaker, Mr. DOYLE mentioned a variety of religious organizations that support this, and I found the same thing in my community.

I want to yield 2 minutes to the gentleman from South Carolina (Mr. WILSON) who, in fact, wants to speak on that aspect of our low-power community radio.

Mr. WILSON of South Carolina. Mr. Speaker, I rise today in support of H.R. 1147, the Local Community Radio Act of 2009.

I appreciate the leadership of Congressman LEE Terry of Nebraska on this important issue.

Passage of this bipartisan legislation is vital to expanding the availability of noncommercial, low-power—LPFM—radio stations to towns and cities across our country. This legislation repeals certain restrictions which limit broadcast capabilities for low-power FM stations. Expanding LPFM licenses will make owning a radio station possible for churches, synagogues, schools, emergency responders, and other community groups that best understand the needs of their local communities.

These stations give civic, clergy, and community leaders a forum to discuss local issues and to provide essential emergency services during times of crisis. Hundreds of churches and ministries already rely on LPFM stations to get their messages out; but, unfortunately, service is currently limited only to rural areas and is frequently limited to property lines.

I urge Members to pass H.R. 1147, which will move to expand low-power FM radio for churches, synagogues, schools, community groups, and emergency responders in the United States.

Mr. BLUMENAUER. Mr. Speaker, I'm pleased to support H.R. 1147, the "Local Community Radio Act," a bipartisan measure to revitalize the local, public interest radio programming that is so important to communities nationwide.

The broadcast spectrum, after all, belongs first and foremost to the American people. I continue to believe that public access to these resources and quality, local programming should be readily available to all. In the 106th Congress, we established the bipartisan Public Broadcasting Caucus to highlight the unique and invaluable contributions of public radio and television stations and programs. Public Broadcasters provide valuable commercial-free educational, informational, and cultural programming for communities all across the country, as well as emergency alerts.

Complementing these efforts are our country's local, low-power FM radio stations. These stations, whose signals only operate in a three-to-five mile radius, serve as vibrant community resources. These small operators include all manner of local politicians, clergy,

civil rights, and community leaders. In times of crisis, like public radio stations, they may also provide essential emergency services. I am pleased Congress is acting to strengthen the ability of these stations to operate responsibly.

This bill is the result of years of negotiations between commercial broadcasters, public broadcasters, and Congress. I appreciate the efforts of all, including National Public Radio (NPR) and the National Association of Broadcasters, NAB, to work together to craft this product. The result is a bill that balances the needs of incumbent stations to protect their signals with an opening up of the airwaves to smaller, more diverse operators.

I look forward to moving this compromise forward, and to strengthened programming in our communities.

Mr. TERRY. Mr. Speaker, I have no further speakers, so I yield back the balance of my time.

Mr. BOUCHER. Mr. Speaker, we also have no further requests for speakers, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Virginia (Mr. BOUCHER) that the House suspend the rules and pass the bill, H.R. 1147, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. BOUCHER. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

The point of no quorum is considered withdrawn.

COMMERCIAL ADVERTISEMENT LOUDNESS MITIGATION ACT

Mr. BOUCHER. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1084) to require the Federal Communications Commission to prescribe a standard to preclude commercials from being broadcast at louder volumes than the program material they accompany, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1084

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Commercial Advertisement Loudness Mitigation Act" or the "CALM Act".

SEC. 2. RULEMAKING ON LOUD COMMERCIALS REQUIRED.

(a) REGULATION REQUIRED.—Within 1 year after the date of enactment of this Act, the Federal Communications Commission shall prescribe pursuant to the Communications Act of 1934 (47 U.S.C. 151 et seq.) a regulation that is limited to incorporating by reference and making mandatory (subject to any waivers the Commission may grant pursuant to